

AF/IAW



[1662/604078]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : NIDDAM-HILDESHEIM *et al.*  
Serial No. : 10/635,337  
Filed : August 6, 2003  
For : **NOVEL CRYSTALLINE FORMS OF GATIFLOXACIN**  
Examiner : Paul V. Ward  
Art Unit : 1624

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on

Date: June 14, 2007

Signature: \_\_\_\_\_

*Georgiana Balkus*  
Georgiana Balkus

**NOTICE OF APPEAL**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated December 14, 2006, finally rejecting claims 1-37.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of **\$500.00** to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. **11-0600**. Any additional fees deemed necessary should also be charged to Deposit Account No. 11-0600. Two additional copies of this Notice are enclosed for that purpose.

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A request for a three-month extension of time to respond to the Final Office Action dated December 14, 2006, is being filed concurrently herewith, which resets the response date to June 14, 2007.

Respectfully submitted,

Dated: June 14, 2007

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